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*Attorneys for Defendants*

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND DIVISION

ABRIL "APRIL" JIMENEZ-MENDEZ, an  
Individual, ARIANA JIMENEZ-MENDEZ, an  
Individual, INNA KHIMICH, an Individual,  
LISA CARVALHO, an Individual, DINA  
CERNAVA, an Individual, and KSENIYA  
PARKHOTYUK, an Individual,

Case No. 3:23-cv-01190-IM

**JOINT STATUS REPORT AND  
DISCOVERY PLAN**

Plaintiffs,

v.

OREGON HEALTH AND SCIENCE  
UNIVERSITY, a Public Corporation and  
Governmental Entity, and DOES 1  
THROUGH 50, Inclusive,

Defendants.

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Pursuant to Federal Rule of Civil Procedure 26(f), the parties conferred and submit this discovery plan and proposed case schedule pursuant to Rule 26(f), Local Rule 16, and Local Rule 26.

## A. JOINT STATUS REPORT AND DISCOVERY PLAN

1. Case Background: Plaintiffs filed this case on August 15, 2023 against Defendant Oregon Health and Science University (“OHSU”) and Defendants Does 1 Through 50, Inclusive, alleging claims for religious discrimination under Title VII of the Civil Rights Act (“Title VII”) (both failure-to-accommodate and disparate treatment claims) and a claim for religious burden under the Free Exercise Clause of the First Amendment to the United States Constitution. ECF No. 1. Defendants moved to dismiss the Free Exercise Claim, ECF No. 7, and on January 29, 2024, this Court granted Defendants’ Motion and dismissed that claim (and in doing so, dismissed Defendants Does 1 Through 50, Inclusive, from the case), ECF No. 10. On February 15, 2024, Plaintiffs filed a First Amended Complaint reasserting their Title VII accommodation claim but removing their Title VII disparate treatment claim, ECF No. 11 (OHSU filed a notice of written consent to the amendment, ECF No. 12). OHSU filed an Answer to the First Amended Complaint on February 29, 2024. ECF No. 13.

2. Nature and Complexity of Case: The parties agree that the legal issues in this case are not complex. However, this case does involve six individual Plaintiffs, each of whom had different employment positions with OHSU, multiplying the number of relevant documents at issue in this case. This case also is one of several other cases pending in this District before other judges, involving OHSU and counsel for both parties.<sup>1</sup> As such, the parties hope to adopt a

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<sup>1</sup> Related cases include *Pryce v. OHSU*, 3:23-cv-01009-AR and *Khimich v. OHSU*, 3:23-cv-01239-YY. Those cases still have motions to dismiss pending, and discovery schedules in those cases have not yet been entered. The parties anticipate filing discovery schedules shortly that conform to the schedules set out below.

discovery schedule in this case that allows ample time for fact discovery and that will match with the schedules in other cases, for the sake of efficiency.

3. Deadline for Amending Pleadings/Joining Additional Parties: The parties propose a deadline of April 30, 2024 to amend the pleadings and/or join additional parties.

4. Consent to a U.S. Magistrate Judge: There is not full consent to the use of a Magistrate Judge.

5. Proposed Discovery Plan:

(a) The parties' deadline to exchange LR 26-7 initial discovery is thirty days from the date of this Report, that is, April 25, 2024.

(b) Pursuant to LR 26-2, the parties have agreed to forgo the disclosures required by Fed. R. Civ. P. 26(a)(1) and have filed with the Court a copy of the Fed. R. Civ. P. 26(a)(1) Discovery Agreement. The parties otherwise anticipate taking discovery in accordance with the applicable civil rules and case law on subjects pertinent to their claims and/or defenses.

(c) The parties anticipate seeking discovery of electronically stored information, including emails, as well as documents generally kept in the usual course of Defendant's business. The parties do not anticipate the discovery of electronically stored information to present unique or complex issues. The parties agree to work collaboratively according to the particular needs of the request regarding the form of request and production of ESI.

(d) The parties do not anticipate that privilege issues will play a larger role in this case than they typically do in similar cases.

(e) The parties do not agree at this time to limiting discovery beyond the limits imposed by the applicable federal and/or local rules. The parties agree to confer and work cooperatively where possible regarding this issue as discovery progresses.

## B. PROPOSED CASE SCHEDULE

The Parties propose the following case schedule, which will allow the parties sufficient time to exchange documents related to all six Plaintiffs in this case and, additionally, coordinate the discovery schedules in related cases (involving the same counsel and the same Defendants) to match the schedule here.

Description of Deadline	Date
Amend Pleadings and Join Additional Parties	April 30, 2024
File Motions to Compel	October 18, 2024
Complete Fact Discovery	October 18, 2024
Initial Expert Disclosures	November 8, 2024
Rebuttal Expert Disclosures	December 9, 2024
File Motions to Compel Expert Discovery	December 16, 2024
Complete Expert Discovery	December 16, 2024
Statement of Agreed and Disputed Facts	January 6, 2025
Joint ADR Report	January 20, 2025
Dispositive Motions	January 20, 2025
Pretrial Order and Verdict Form	June 20, 2025
Trial Documents (filed by 12:00 Noon)	June 27, 2025
Pretrial Conference	July 24, 2025

Description of Deadline	Date
Jury Trial (5 days)	August 12, 2025

DATED: March 26, 2024

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